IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 390 of 2007

VIJAY KUMAR
V/S
STATE & ORS.

Mr. GJ GUPTA, for the appellant / petitioner

Date of Order : 19.2.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The only submission made by learned counsel for the petitioner is that the matter was sent for grant of sanction, and after consideration of the matter, the grant of sanction was once declined. Thereafter, without giving any opportunity of hearing and for oblique political motives, at a later stage, sanction has been granted, which is required to be interfered with.

A look at Annex.1 produced by the petitioner, being the photostat certified copy of the note-sheets of the file, does show that the sanction was never declined by the competent authority, rather the note-sheets were going on for queries and clarifications, and at interregnum stages, some persons did express certain opinion, but then, it does not show, that at any point of time, the competent authority had taken a decision not to grant sanction and

therefore, it cannot be said that the sanction was refused once, and subsequently, for oblique motive, the sanction has being granted, in the manner contended by the learned counsel for the petitioner.

Thus, I do not find any sufficient ground to interfere with the grant of sanction. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/